

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
(Case No. 03-465-D (400.151))

In the Application of:)
McSwiggen et al.)
Serial No.: 10/826,966)
Filing Date: April 16, 2004)
For: RNA Interference Mediated Inhibition of)
Gene Expression Using Chemically)
Modified Short Interfering Nucleic)
Acid (siNA))

) Examiner: TBD
) Group Art Unit: 1635
) Confirmation No.: 2134

THIRD SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT

Commissioner for Patents
P.O. Box 1450
Alexandria, Virginia 22313-1450

Dear Sir:

Pursuant to 37 C.F.R. Sections 1.56 and 1.97 - 1.99, the Applicant wishes to make the following references of record in the above-identified application. This Third Supplemental Information Disclosure Statement is in compliance with the continuing duty of candor as set forth in 37 C.F.R. Section 1.56. A partial recitation of the priority claim is as follows. This application is a continuation-in-part of US Serial No. 10/757,803 filed January 14, 2004. This application is also a continuation-in-part of US Serial No. 10/427,160, filed April 30, 2003. All of the applications recited herein are relied upon for an earlier filing date under 35 U.S.C. § 120. In accordance with Rule 37 CFR §1.98(d), all references are enclosed herein. All references cited are also listed in the PTO-1449 form enclosed herewith.

Portions of the listed references may be material to the Examiner's consideration of the presently pending claims. This statement is not a representation that the listed references have

effective dates early enough to be "prior art" within the meaning of 35 U.S.C. Section 102 or Section 103.

Applicants do not believe any fee is due with this submission. If this belief is in error and the Patent Office determines that the fee prescribed in the relevant portion of 37 C.F.R. Section 1.97 is applicable, the undersigned attorney by his signature hereby authorizes any such fee to be debited from Deposit Account 13-2490.

Respectfully submitted,
McDonnell Boehnen Hulbert & Berghoff LLP

Date: May 3, 2007

By: /Michael S. Greenfield/
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